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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
TODD BARRETT) FOR: METHOD FOR PROVIDING
Application No.: 09/960,223) VARIABLE OPTICAL
Filed: 9/20/01) ATTENUATION
Group
Art Unit: 2874

RESPONSE TO MISSING PARTS

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice of Missing Parts of Nonprovisional Application,

Applicant submits herewith the following:

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

January 22 2002

(Mailing Date)

GARY L. EASTMAN

(Registered Representative)

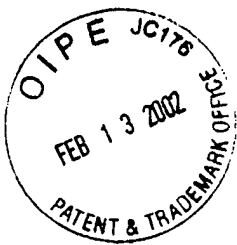
(Signature)

January 22 2002

(Date of Signature)

1. A copy of the Notice to File Missing Parts.
2. Petition for Extension of Time (one month).
3. Signed Declaration/ Power of Attorney.
4. Check # 3007 for \$685.00 for:
 - \$370.00 for statutory basic filing fee*;
 - \$153.00 for additional claim fees (17 claims over 20)*;
 - \$65.00 late filing fee*;
 - \$55.00 for one (1) month extension of time*; and
 - \$42.00 for independent claim fee (1 claim over 3)*.
5. Postcard.

***Small Entity Statement:** The undersigned, as attorney of record on behalf of Applicant, hereby verifies that Applicant qualifies as a small entity pursuant to 37 C.F.R. § 1.27, and so is entitled to a one-half reduction in applicable fees in connection with this application.



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Appl. No. 09/960,223

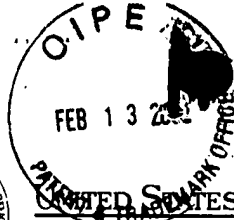
Respectfully submitted,

Dated: 1-22-02

Gary L. Eastman
Attorney for Applicant
Registration No. 41,005

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Docket No.: 1092-PA428



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/960,223 | 09/20/2001 | Todd Barrett | 1092-PA428 |

CONFIRMATION NO. 5857

FORMALITIES LETTER



OC000000006951526

EASTMAN & ASSOCIATES
Suite 306
520 West Ash Street
San Diego, CA 92101

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Date Mailed: 10/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$193.
 - \$153 for 17 total claims over 20.
 - \$40 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 613.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY